

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: February 20, 2006

Division: COUNTY ATTORNEY

Bulk Item: ☒ Yes ☐ No

Staff Contact Person: Natileene W. Cassel

AGENDA ITEM WORDING:

Approval of payment to *Lomurro, Davison, Eastman & Munoz, P.A.* for professional legal services rendered by *Robert S. Bonney, Jr., Esq.* to James Roberts, former County Administrator, in *United States of America v. James Hendrick*, from September 1, 2005 and continuing during the pending litigation.

ITEM BACKGROUND:

Mr. Roberts is no longer employed by Monroe County; however, his participation in *United States of America v. James Hendrick*, is critical to the best interests of Monroe County. Therefore, *Robert S. Bonney, Jr.*, was retained to provide professional legal services to James Roberts in order to effectively represent Mr. Roberts on behalf of Monroe County.

PREVIOUS RELEVANT BOCC ACTION:

A similar Agenda Item was brought before the Commission in December 2005 and was approved, however that approval was only for a limited and specific payment amount. This is a correction to that agenda item and allows the payment of the legal services during the entirety of the litigation.

CONTRACT/AGREEMENT CHANGES

N/A

STAFF RECOMMENDATIONS:

Approval.

TOTAL COST: _____

BUDGETED: YES ☐ **NO** ☐

COST TO COUNTY: _____

SOURCE OF FUNDS: _____

REVENUE PRODUCING: YES ☐ NO ☐ **AMOUNT PER MONTH** _____ **Year** _____

APPROVED BY: County Atty ☒ OMB/Purchasing _____ Risk Management _____

DIVISION DIRECTOR APPROVAL: _____

John R. Collins
John R. Collins

DOCUMENTATION:

Included ☒ X ☐

Not Required ☐

DISPOSITION: _____

AGENDA Item# _____



John R. Collins, County Attorney

Suzanne A. Hutton, Assistant County Attorney **
Robert B. Shillinger, Assistant County Attorney **
Pedro J. Mercado, Assistant County Attorney
Susan M. Grimsley, Assistant County Attorney
Natileene W. Cassel, Assistant County Attorney

** Board Certified in City, County & Local Govt. Law

BOARD OF COUNTY COMMISSIONERS

Mayor Dixie M. Spehar, District 1
Mayor Pro Tem Charles "Sonny" McCoy, District 3
George Neugent, District 2
David P. Rice, District 4
Murray E. Nelson, District 5

Office of the County Attorney

PO Box 1026
Key West, FL 33041-1026
305/292-3470 - Phone
305/292-3516 - Fax

November 8, 2005

Robert S. Bonney, Jr., Esq.
Lomurro, Davison, Eastman & Munoz, P.A.
Monmouth Executive Center
100 Willowbrook Road
Building 1
Freehold, NJ 07728

Re: James Roberts – United States of America v. James Hendrick

Dear Mr. Bonney:

This will confirm receipt of your communication of October 28, 2005 regarding the above matter. This will further confirm that the legal fees & costs incurred by James Roberts concerning this matter will be paid by Monroe County.

The invoices should be addressed to Monroe County Attorney at P.O. Box 1026, Key West, FL 33041. Before invoicing in this matter, please have your billing department contact our Office Manager, Sheila Sutton, at 1-305-292-3478 to go over the requirements for cost documentation because the Clerk of Court has strict requirements before he will authorize reimbursement.

Thank you for your kind attention to this matter.

Sincerely,

John R. Collins
County Attorney

JRC/ss

LOMURRO, DAVISON, EASTMAN & MUÑOZ, P.A.

ATTORNEYS AT LAW
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DONALD M. LOMURRO *
DUANE O. DAVISON
EDWARD C. EASTMAN, JR. **
ROBERT F. MUÑOZ
ROBERT L. HEUGLE, JR. **
VERONICA M. DAVIS *
JULES S. LITTMAN
JAMES M. McGOVERN, JR.
PETER H. LEDERMAN
BETTINA E. MUNSON *
JAMES A. PAONE, II
THOMAS M. COMER *
ROBERT S. BONNEY, JR. *

CERTIFIED BY THE SUPREME COURT OF N.J. AS A:
* CIVIL TRIAL ATTORNEY
* CRIMINAL TRIAL ATTORNEY
* MATRIMONIAL LAW ATTORNEY

COUNSEL
GARY P. McLEAN
MICHAEL J. FASANO
SIMON L. KAUFMAN
ALTON D. KENNEY
PETER V. KOENIG
H. FRANK CARPENTIER

HEIDI K. HOFFMAN
TRACY A. ARMSTRONG
LOREN ROSENBERG LIGHTMAN

CARRIE A. LUMI
JAIME R. ACKERMAN
JONATHAN H. LOMURRO
ALLISON C. WILLIAMS

OF COUNSEL
JOSEPH M. CLAYTON, JR.
HON. MILTON H. GELZER [Ret.]
STEPHEN C. CARTON
MICHAEL D. SCHOTTLAND

October 28, 2005

RECEIVED

OCT 31 2005

MONROE COUNTY ATTORNEY

Richard Collins, Esq.
Monroe County Attorney
P.O. Box 1026
Key West, FL 33041-1026

Re: James Roberts

Dear Mr. Collins:

This firm represents James Roberts who is being subpoenaed to testify in the matter of United States of America v. James Hendrick, a criminal matter currently pending in the United States District Court for the Southern District of Florida. The subject matter about which he is being required to testify concerns his activities while serving as Monroe County Administrator. In view of this fact, I am writing to advise that Mr. Roberts is requesting and would like confirmation that the legal fees he is incurring in connection with this matter will be paid for by Monroe County.

As with our previous statements for services rendered, I am enclosing our most recent statement for services rendered between September 29 and October 13, 2005.

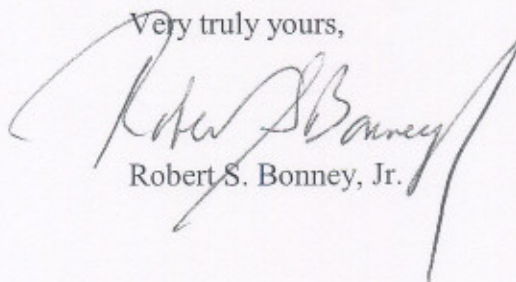
Kindly confirm that Monroe County will pay Jim Roberts' legal fees and expenses and advise where future statements for services rendered should be sent.

* The Certified designation by the New Jersey Supreme Court is limited to attorneys who have demonstrated 1) substantial involvement in trial matters in Superior Court, 2) an unblemished reputation as attested to by judges and attorneys, and 3) substantial knowledge and continuing legal education shown by passing a special written examination on trial practice. Mr. Lomurro, Mr. Eastman, and Mr. Heugle are Certified Civil Trial Attorneys. Mr. Lomurro and Mr. Bonney are Certified Criminal Trial Attorneys. Ms. Davis and Ms. Munson are Certified Matrimonial Law Attorneys.

Richard Collins, Esq.
Monroe County Attorney
October 28, 2005
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Thanking you for your anticipated cooperation in this matter, I remain,

Very truly yours,

A handwritten signature in dark ink, appearing to read "Robert S. Bonney, Jr.", with a large, sweeping flourish extending from the end of the signature.

Robert S. Bonney, Jr.

RSB:cas
Enclosure
cc: James Roberts